

A RESOLUTION BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE

02-*R*-1350

A RESOLUTION AUTHORIZING SETTLEMENT OF ALL CLAIMS OF JIMMY McCLARIN AGAINST THE CITY OF ATLANTA AND W. A. TERRELL IN THE CASE OF JIMMY McCLARIN V. CITY OF ATLANTA AND W.A. TERRELL, CASE NUMBER 2002-CV-52281, IN THE SUPERIOR COURT OF FULTON COUNTY; TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00); AND FOR OTHER PURPOSES.

WHEREAS, on April 22, 2002, the Plaintiff initiated the case of Jimmy McClarin v. City of Atlanta and W. A. Terrell, alleging that these defendants are liable for personal injury; and

WHEREAS, the Plaintiff's lawsuit stems from a vehicle accident which occurred on November 30, 2000, involving Defendant William A. Terrell, who was on duty as an Atlanta police officer assigned to the Zone 2 Auto Theft Task Force when he struck a pedestrian, Jimmy McClarin; and

WHEREAS, at almost 6:00 p.m. on that date, Officer Terrell pursued Brad Boddie, the driver of a stolen vehicle, who was fleeing westbound on Bankhead Highway at a high rate of speed; and

WHEREAS, near the intersection of Marietta Street and Bankhead Highway, Mr. Boddie lost control of the stolen vehicle, a Toyota Corolla, which sideswiped a third vehicle, went across a cement traffic island at the intersection of the driveway to the Bankhead MARTA station, and tumbled out of control across an open field, knocking down a wooden sign and a chain link fence; and

WHEREAS, while the stolen vehicle came to a rest under the MARTA bridge, it struck a pedestrian, Jimmy McClarin, who was on his way to the MARTA station, and knocked him down; and